

108TH CONGRESS
1ST SESSION

H. R. 683

To amend the Internal Revenue Code of 1986 to increase the special allowance for depreciation for certain property acquired after September 10, 2001, from 30 percent to 100 percent, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2003

Mr. ENGLISH (for himself and Mr. JEFFERSON) introduced the following bill;
which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to increase the special allowance for depreciation for certain property acquired after September 10, 2001, from 30 percent to 100 percent, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. INCREASE IN SPECIAL ALLOWANCE FOR DE-**
 2 **PRECIATION FOR CERTAIN PROPERTY AC-**
 3 **QUIRED AFTER SEPTEMBER 10, 2001, FROM 30**
 4 **PERCENT TO 100 PERCENT.**

5 (a) IN GENERAL.—Subsection (k) of section 168 of
 6 the Internal Revenue Code of 1986 is amended by adding
 7 at the end the following new paragraph:

8 “(4) 100 PERCENT ALLOWANCE FOR CERTAIN
 9 PROPERTY.—

10 “(A) IN GENERAL.—In the case of quali-
 11 fied property placed in service after December
 12 31, 2002, and before January 1, 2006, para-
 13 graph (1) shall be applied by substituting ‘100
 14 percent’ for ‘30 percent’ in subparagraph (A)
 15 thereof.

16 “(B) APPLICABLE DATES.—For purposes
 17 of subparagraph (A)—

18 “(i) IN GENERAL.—Except as pro-
 19 vided in clause (ii), paragraph (2) shall be
 20 applied by substituting ‘January 1, 2006’
 21 for ‘September 11, 2004’ each place is oc-
 22 curs.

23 “(ii) BINDING WRITTEN CON-
 24 TRACTS.—In the case of qualified property
 25 with respect to which a written contract

1 for the acquisition of such property is in
2 effect before January 1, 2006—

3 “(I) paragraph (2)(A)(iii)(II)
4 shall be applied by substituting ‘Janu-
5 ary 1, 2008’ for ‘September 11,
6 2004’, and

7 “(II) paragraph (2)(A)(iv) shall
8 be applied by substituting ‘January 1,
9 2008’ for ‘January 1, 2005’ and by
10 substituting ‘January 1, 2009’ for
11 ‘January 1, 2006’.”.

12 (b) SYNDICATIONS.—Subparagraph (D) of section
13 168(k)(2) of such Code (relating to special rules) is
14 amended by adding at the end the following:

15 “(iii) SYNDICATIONS.—For purposes
16 of subparagraph (A)(ii), if property—

17 “(I) is treated as originally
18 placed in service after September 10,
19 2001, either directly or by a lessor of
20 such property or pursuant to clause
21 (ii), and

22 “(II) is sold within 6 months
23 after such property is so placed in
24 service,

1 such property shall be treated as originally
2 placed in service not earlier than the date
3 of such sale.”.

4 (c) EFFECTIVE DATES.—

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2), the amendments made by this section
7 shall apply to property placed in service after De-
8 cember 31, 2002, in taxable years beginning after
9 such date.

10 (2) SUBSECTION (b).—The amendment made
11 by subsection (b) shall take effect as if included in
12 the amendments made by section 101 of the Job
13 Creation and Worker Assistance Act of 2002.

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